

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JOHN DAVID OHLINGER,

Petitioner,

v.

MARC CLEMENTS, Warden,
Dodge Correctional Institution,

Respondent.

ORDER

11-cv-799-wmc

On November 30, 2011, state inmate John David Ohlinger filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, challenging a judgment of conviction in Racine County Case No. 02CF224. On August 22, 2012, the court granted Ohlinger's motion to stay and abate this case so that he could exhaust available state court remedies with respect to some of his claims for relief. On November 13, 2013, the court reinstated this case and granted Ohlinger leave to file a supplemental petition, which he submitted on December 23, 2013. *See* Dkt. # 11, *Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. 2254 [and] Supplemental Memorandum*. On January 15, 2015, the court denied Ohlinger's request for a second stay to return to state court. Ohlinger has now filed a motion to reconsider that request. For reasons stated previously, Ohlinger has not established the requisite good cause to allow a stay. *Rhines v. Weber*, 544 U.S. 269, 277 (2005). Ohlinger does not otherwise meet the criteria for another stay. Under these circumstances, his motion, which is construed as a third request for a stay, must be denied.

ORDER

IT IS ORDERED that petitioner John David Ohlinger's motion for reconsideration

requesting a stay in this habeas proceeding (dkt. # 91) is DENIED.

Entered this 15th day of April, 2015.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge